



**State of New Jersey**  
CANNABIS REGULATORY COMMISSION

PHILIP D. MURPHY  
*Governor*

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DIANNA HOUEYOU, *Chair*  
KRISTA NASH, *Commissioner*  
MARIA DEL CID-KOSSO, *Commissioner*  
SAMUEL DELGADO, *Vice Chair*  
CHARLES BARKER, *Commissioner*  
CHRIS RIGGS, *Acting Executive Director*

TAHESHA L. WAY  
*Lt. Governor*

**RESOLUTION 2024-298**  
**IMPOSITION OF SOCIAL EQUITY EXCISE FEES ON CLASS 1 CANNABIS**  
**CULTIVATORS FOR THE 2025 CALENDAR YEAR**

**WHEREAS**, pursuant to N.J.S.A. 54:47F-1(a), there may be a Social Equity Excise Fee imposed by the Commission on the cultivation of cannabis by any cannabis cultivator licensed pursuant to the provisions P.L.2021, c.16 (C.24:6I-31 et al.), or on the cultivation of cannabis for the personal-use cannabis marketplace and not for the medical cannabis marketplace by any alternative treatment center deemed to be licensed to engage in personal-use cannabis activities pursuant to section 7 of P.L.2009, c.307 (C.24:6I-7) and issued a Class 1 Cannabis Cultivator license by the Commission pursuant to N.J.S.A. 24:6I-46; and

**WHEREAS**, the excise fee, if imposed by the Commission, shall be imposed on the receipts from the sale, or equivalent value of the transfer, of usable cannabis by a cannabis cultivator to any other cannabis establishment, other than another cannabis cultivator; and

**WHEREAS**, any sale by a cannabis cultivator for which the excise fee is imposed shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.); and

**WHEREAS**, pursuant to N.J.A.C. 17:30-3.4(b), effective August 19, 2021, until the fee is adjusted pursuant to N.J.A.C. 17:30-3.4(c), the Social Equity Excise Fee shall be 1/3 of one percent of the Statewide average retail price of an ounce of usable cannabis for consumer purchase, during the current calendar year, as determined by the Commission.; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-3.4(c), beginning nine months following the first sale or transfer of usable cannabis subject to a Social Equity Excise Fee by a cannabis cultivator that is not part of an expanded ATC and continuing annually, the excise fee shall be as follows:

1. If the average retail price of an ounce of usable cannabis in the current calendar year is \$ 350.00 or more, the excise fee shall be:

- i. \$ 10.00 per ounce of usable cannabis; and
- ii. \$ 3.00 per ounce of unusable cannabis sold for the purpose of manufacturing;

2. If the average retail price of an ounce of usable cannabis in the current calendar year is at least \$ 250.00, but less than \$ 350.00, the excise fee shall be:

- i. \$ 30.00 per ounce of usable cannabis; and
- ii. \$ 8.00 per ounce of unusable cannabis sold for the purpose of manufacturing;

3. If the average retail price of an ounce of usable cannabis in the current calendar year is at least \$ 200.00, but less than \$ 250.00, the excise fee shall be:

- i. \$ 40.00 per ounce of usable cannabis; and
- ii. \$ 12.00 per ounce of unusable cannabis sold for the purpose of manufacturing;

and

4. If the average retail price of an ounce of usable cannabis in the current calendar year is less than \$ 200.00, the excise fee shall be:

- i. \$ 60.00 per ounce of usable cannabis; and
- ii. \$ 18.00 per ounce of unusable cannabis sold for the purpose of manufacturing;

and

**WHEREAS**, as of August 31, 2024, the statewide average retail price of an ounce of usable cannabis was \$330.68 per ounce; and

**WHEREAS**, the Commission determined that a waiver of N.J.A.C. 17:30-3.4(c) is necessary to achieve the purposes of P.L.2021, c.16, is necessary to provide consumers access to cannabis items, and does not create a danger to public health, safety, or welfare; and

**WHEREAS**, N.J.S.A. 54:47F-1(a)(2)(b), gives the Commission the discretion to set the Social Equity Excise Fee at “up to \$30 per ounce . . . if the average retail price of an ounce of usable cannabis was less than \$350 but at least \$250.” (emphasis added); and

**NOW, THEREFORE, BE IT RESOLVED**, by the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 54:47F-1(a)(2)(b), that for the 2025 calendar year, beginning January 1, 2025, the Social Equity Excise Fee is adjusted to \$2.50 per ounce for all sales or transfers of usable cannabis by a cannabis cultivator to any other cannabis establishment, other than another cannabis cultivator, and \$2.50 per ounce of unusable cannabis sold for the purpose of manufacturing. This Social Equity Excise Fee applies to all licensed Class 1 cultivators, including cultivators of cannabis establishments that are “vertically integrated.”

**BE IT FURTHER RESOLVED** that the Commission’s waiver of N.J.A.C. 17:30-3.4(d), adopted via Resolution 2024-297, is hereby rescinded.

Submitted by:



Dianna Houenou, Chair

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 12<sup>th</sup> day of December 2024.



Dave Tuason, Chief Counsel

<b>Vote on the Approval of This Resolution</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Commissioner Barker					X	
Commissioner Del Cid-Kosso		X	X			
Commissioner Delgado			X			
Chairwoman Houenou	X		X			
Commissioner Nash			X			